

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 2:13-CR-042-APG-(PAL)
)
JOSEPH FELIX,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on October 10, 2014, defendant JOSEPH FELIX was found guilty on Count One of a One-Count Criminal Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Criminal Indictment, ECF No. 1; Minutes of Jury Trial, ECF No. 106; Jury Verdict, ECF No. 112.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant JOSEPH FELIX was found guilty. Criminal Indictment, ECF No. 1; Minutes of Jury Trial, ECF No. 106; Jury Verdict, ECF No. 112.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

1. a Springfield XD-9, 9mm handgun, bearing serial number US806651; and
 2. any and all ammunition
- (all of which constitutes “property”).

1 This Court finds the United States of America is now entitled to, and should, reduce the
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
6 JOSEPH FELIX in the aforementioned property is forfeited and is vested in the United States of
7 America and shall be safely held by the United States of America until further order of the Court.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
9 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
10 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
11 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
12 name and contact information for the government attorney to be served with the petition, pursuant to
13 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
15 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
16 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
17 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
18 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
19 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
20 petition and the relief sought.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
22 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
23 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
24 after the first day of the publication on the official internet government forfeiture site,
25 www.forfeiture.gov.

26 . . .

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Michael A. Humphreys
5 Assistant United States Attorney
6 Daniel D. Hollingsworth
7 Assistant United States Attorney
8 Lloyd D. George United States Courthouse
9 333 Las Vegas Boulevard South, Suite 5000
10 Las Vegas, Nevada 89101.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
12 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
13 following publication of notice of seizure and intent to administratively forfeit the above-described
14 property.

15 Dated: February 5, 2015.

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18 UNITED STATES DISTRICT JUDGE
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